

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

Minix

Docket No. 6:09-cv-01767

Versus

Judge Tucker L. Melançon

Social Security Administration

Magistrate Judge Patrick J. Hanna

**JUDGMENT**

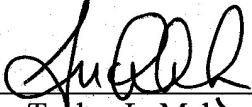
This matter was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the report and recommendation of the Magistrate Judge is correct and adopts the findings and conclusions therein as its own.

Accordingly, it is therefore

**ORDERED** that the Commissioner's finding of non-disability is **REVERSED** and **REMANDED** for reconsideration in light of the report and recommendation. In particular, the Commissioner is ordered to fully develop the record by obtaining functional evaluations by a pain management specialist and a primary care physician and by obtaining and reviewing the records and/or opinions from the surgeon with whom Mr. Minix consulted. Once the record has been fully developed, the Commissioner is ordered to evaluate Mr. Minix's residual functional capacity and

determine whether he is or is not disabled.

Thus done and signed in Lafayette, Louisiana, this 28<sup>th</sup> day of January, 2011.

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Tucker L. Melançon  
UNITED STATES DISTRICT JUDGE